

Maine Open Project Selection Process

Use of Annual Apportionment

The LWCF program is funded through revenue from off-shore oil and gas drilling. LWCF monies are apportioned to the states by the Secretary of the Department of Interior each fiscal year in accordance with the apportionment formula contained in the LWCF Act. This formula includes a factor for equal distribution of a portion of the fund among the states, as well as factors for distribution on the basis of population and need.

In recent years, Maine's available apportionment has increased to approximately \$1.5 million annually. Each grant round half of available funding is earmarked for local projects and half to state projects. Any unobligated funds from the local applicant pool is shifted to the state side and in this way we make every effort to fully allocate each year's apportionment and to avoid leaving a balance of unobligated funds. Should active project expenditures be less than the annual obligated amount, the unexpended balance reverts to a "special reapportionment account" (SRA), which the Bureau must request from the NPS to be reapportioned back to Maine. In order to receive SRA, 100% of current apportionment must be committed to viable projects and the amount of SRA requested from NPS must be able to be allocated to viable but yet unfunded projects. This emphasizes the need to cultivate and commit to shovel ready projects at all levels.

Annual apportionments and SRA funds not allocated each fiscal year may be applied to cost overruns on active projects. Amendments to increase federal assistance without further competition through the Open Project Selection Process may be approved in an amount not to exceed 25% of the original agreement amount and then only when the increased costs are associated with project components approved in the original project scope. Requests for increased funding greater than 25% of the original request or resulting from a change in the project scope must undergo competition through the Open Project Selection Process (OPSP) during the next grant round.

Open Project Selection Process

The National Park Service requires each state to develop an Open Project Selection Process (OPSP) by which LWCF grant project proposals are prioritized and recommended for funding.

Maine's OPSP has been designed to accomplish the following federally-required goals:

- a) Provide for public knowledge of and participation in the formulation and application of the project selection process used to allocate LWCF assistance;
- b) Ensure all potential applicants are aware of the availability of and process for obtaining LWCF assistance, and provide opportunities for all eligible agencies to submit project applications and have them considered on an equitable basis;
- c) Provide a measurable link, through published selection criteria, to the specific outdoor recreation needs and priorities identified in Maine's Statewide Comprehensive Outdoor Recreation Plan (SCORP);

- d) Assure that distribution of LWCF assistance is accomplished in a non-discriminatory manner, especially with regard to minority, elderly, disabled, and other underserved populations. and ensure a fair and equitable evaluation of all applications for LWCF assistance.

APPLICANT NOTIFICATION

To ensure that all eligible political sub divisions are informed of the availability of federal funding assistance, information is posted on the Bureau of Parks & Lands website:

https://www.maine.gov/dacf/parks/grants/land_water_conservation_fund.html Information posted includes a description of the LWCF program; eligibility requirements; a web link to the SCORP http://www.maine.gov/dacf/parks/publications_maps/statewide_recreation_plan.html and the process for submitting a project application, including a copy of the application (Appendix A); which incorporates the federally required Project Description/Environmental Screening Form and a copy of the LWCF Project Application Guide (Appendix B). Additionally, the Bureau coordinates with the Maine Recreation and Parks Association, the Maine Municipal Association, Maine Planners Association and Maine Association of City and Town Managers to disseminate information to local governments regarding the annual call for projects. The Bureau also disseminates the information to local officials through the Bureau's email listserv, as well as to members of the Maine Recreation and Park Association through their email listserv. A sample notification email is provided in Appendix C. Throughout the year, the Bureau's Grants & Community Recreation staff also participate in various conferences and provide regional grant workshops to further promote the awareness and use of the program

PROGRAM ASSISTANCE

The Maine Grants and Community Recreation program has limited resources to promote the program and provide program assistance. In addition to written materials and support documents posted on the Bureau's website, primary program assistance comes in the form of the required pre-approval site inspections and ongoing contact with applicants up to submission of applications. At the preapproval site inspection as much time as needed is spent with the applicant to review their vision for acquisition and or development, program requirements, application tips, keys to success and generally bringing the applicant to an understanding of how robust the application is, and very specifically how significant the stewardship obligations are. LWCF presentations are regularly included in MRPA annual conferences and we are working to develop a new template where the annual presentations are led by recent LWCF award recipients. Who better to advocate for the use of the program and council future applicants of the challenges and obligations inherent in the program than those who have firsthand knowledge?

PRIORITY RANKING

Project applications for LWCF assistance are reviewed by Grants & Community Recreation (GCR) staff to ensure they meet minimum eligibility requirements. Previous history regarding project sponsor compliance with LWCF program requirements is also reviewed and factored into overall project application scores. Additionally, an application scoring matrix (Appendix E) has been developed by the GCR program manager to assist in the priority ranking process. A review committee made up of key bureau staff and select municipal parks and recreation department directors reviews and scores all applications. Scoring criteria places emphasis on:

- Acquisition of property to prevent loss of an existing public outdoor recreation facility;

- Acquisition of land to protect critical natural areas and/or wetlands;
- Development of public outdoor recreation facilities to meet established, documented needs in a community or region;
- Development of public outdoor recreation facilities to serve a broad range of users including special needs and disabled populations; and,
- Renovation of existing public outdoor recreation facilities that have previously received LWCF assistance and or serve an established, documented need (only if renovation need is not a result of neglect during the reasonable life of the facility).

PROJECT SELECTION PROCESS

Grant applications will not be reviewed for completeness or accuracy prior to distributing the applications to the review committee for scoring. Applications will be scored as submitted based on their merits.

The project applications will be reviewed, scored, and ranked using criteria (see “Project Review Criteria” below) approved by the National Park Service (NPS) and BP&L. The LWCF Review Committee is composed of professional park and recreation staff and BP&L staff. The committee will review the applications and recommend LWCF funding priorities to the Director and/or Deputy Director of BP&L. Recommended projects are then submitted to NPS for final approval.

Project Review Criteria

1. Project Type (10 points)

- a. Renovation: Renovation of a public outdoor recreation facility that is at least twenty (20) years old. Documentation must be provided identifying when the facility was originally developed/constructed and when it was last renovated. (10 points)
- b. Combination Renovation/Development: Renovation of an outdoor recreation facility that is at least twenty (20) years old (provide documentation as described in 1.a above), and development/construction of a new outdoor recreation facility. (7 points)
- c. Combination Acquisition/Development: The purchase of permanent rights (fee simple or easement) in land for public outdoor recreation purposes and development/construction of a new public outdoor Recreation facility(ies). (7 points)
- d. New Construction: Development/construction of a new public outdoor recreation facility(ies). (5 points)
- e. Acquisition: The purchase of permanent rights (fee simple or easement) in land for public outdoor recreation purposes. (5 points)

2. Needs Assessment (47 points)

- a. Project is identified as a priority need in a municipal comprehensive plan/municipal recreation/open-space plan, and or another community wide planning process and has documented community support. (15 points)
 - i. Planning Effort (0-5 points): no plan (0); plan, but recreation facilities not mentioned in plan (1); vague reference to recreation in plan (2); reference to specific facility in plan (3); facility referenced with support in plan (4); facility is a major priority in plan (5).
 - ii. Community Support (0-5 points): no support (0); very weak support, no documentation (1); weak support, little documentation (2); support, some

documentation (3); strong documented support (4); very strong broad documented support (5).

- iii. Bonus Points (0-5 points): applicant's comprehensive plan is current and has been determined by State Planning Office (SPO) to be a "Consistent Comprehensive Plan" (3); applicant has a current "State Certified Growth Management Program" (5).
- b. Project Impact on Recreational Opportunity (10 points): little increase, similar recreational opportunities available (0-2); expands on recreational opportunities for existing programs (3-6); provides significant recreational opportunity not available locally or regionally (7-10).
- c. Project Implementation Priority (2 points): project may be delayed without serious consequences (0); loss of recreation opportunity or open space if project is not funded (2).
- d. Project Service Area (10 points): neighborhood only (1-2); large segment of municipality (3-4); entire municipality (5-6); multi-town/region (7-8); statewide (9-10).
- e. Intended User Profile (10 points): limited user or age group (1-3); organized publicly sponsored (team sports) activities (4-5); spontaneous activities for both sexes/several age groups (6-7); spontaneous activities for broad range of age groups and types of users (8-10).
- f. Participant/Spectator Use (5 points): mainly passive/spectator activities (1-2); team sport facilities without excessive seating (3-4); spontaneous activity (non team activities) areas with high participant to spectator ratio (5).

3. Site and Project Quality (40 points)

- a. Appropriateness of the Site for the Intended Purpose (15 points)
 - i. Location and accessibility of the site to intended users (5 points): poor access (0); fair access (1-2); good access (3-4); excellent access (5).
 - ii. Compatibility (size, slope, soils, etc.) of the proposed development with site characteristics (5 points): poor site (0); fair site (1-2); good site (3-4); excellent site (5).
 - iii. Bonus Points (5 points): site location supports alternative transportation options (walking, biking, etc.) and is consistent with Smart Growth Initiative goals to reduce sprawl and make more efficient use of public investment.
- b. Quality of Project Design (10 points): poor design practices, lack of information, vague description (0-4); design adequate but some details missing (5-7); good planning concepts, soils analysis/grading plan/design complete (8-10).
- c. Site Aesthetics (5 points): unattractive site (0); average (1); above average (2-3); outstanding natural area (4-5).
- d. Access for Disabled (5 points): limited or no ADA access, or no plans for ADA access (0); plans for ADA access at most major portions of the facility (1-4); all portions of facility are ADA accessible (5).

- e. Bonus Points (5 points): Site is a former Environmental Protection Agency (EPA) or Maine Department of Environmental Protection (MDEP) contaminated/hazardous site that has been re-mediated and approved for public use.

4. Cost/Financial Assessment/Capability (35 points)



- a. Cost Analysis (10 points): cost estimates do not appear adequate for type of facility (0-2); cost appears to be adequate, but some information is lacking or unclear (3-5); good design and quality, cost estimate may be high (6-8); quality design with reasonable cost (9-10).
- b. Availability of Project Match (10 points): match not available/approved, questionable local support (0); match heavily dependent on future donation or other non-cash sources (1-4); at least 50% of match is available/approved, support for balance documented (5-9); 100% of match is available/approved at time of application (10),
- c. Maintenance Planning (10 points): maintenance planning unclear/resources inadequate (0-2); planning fair to good, resources adequate (3-7); planning excellent, personnel and equipment available (8-10).
- d. Condition of Applicant's Recreation Facilities (5 points): facility(ies) not useable (0); poor (1); good (2); average (3); above average (4); excellent (5).

5. LWCF History/Compliance (10 points)

- a. Number of LWCF Grants Previously Awarded (5 points): five (5) or more LWCF grants (0); four (4) LWCF grants (1); three (3) LWCF grants (2); two (2) LWCF grants (3); one (1) LWCF grant (4); no LWCF grants (5).
- b. Five Year Inspection Reports (-10 or 0 points): Is applicant up-to-date on five-year inspection reports for all LWCF funded projects? Yes, or not applicable (0); no (-10).
- c. LWCF Signage (-10 points or 0 points): Do all of applicant's LWCF funded sites have all required signs on site? yes, or not applicable (0); no (-10).
- d. Verification of 6(f)(3) Boundaries/Conversions (-10 or 0 points): Have any unauthorized changes been made to any LWCF project 6(f)(3) boundaries? no, or not applicable (0); yes (-10).
- e. Application Preparation (5 points): poor preparation, apparent disregard of instructions, missing material/documentation (0); fair preparation, fair description of project/conditions, one or two major items missing or lacking in detail (1-2); good preparation, few minor items incomplete or lacking in detail (3-4); excellent preparation, well detailed project/process, no items missing, excellent plans and environmental assessment (5).

OPSP TIMELINE

The OPSP will occur at least annually, beginning with a call for projects that usually occurs in March of each year. The number of ranked projects that will be recommended for funding is determined by the state's LWCF apportionment for the current fiscal year. Below is a typical timeline for the OPSP.

- May - The OPSP commences with a call for project proposals. The application and application guide are posted on the website. Notices are distributed in a variety of formats to local political sub Bureaus. Important upcoming dates are posted on the website.
- May through October Pre-approval site inspections are scheduled and meetings with prospective project sponsors held.
- June – The last Friday in June applications are due.
-  July – August: applications are reviewed and scored by committee members followed by a group meeting to review individual scores and to make funding determinations.
 - Notice of award made by September 1 & preliminary notice of award sent to successful applicants
 - September – December: . Match capacity is reviewed and those demonstrating immediate capacity are prepared for submission to NPS for review, approval and authorization to submit application to Grants.gov.
-  Year 2 -
 - March – July: Project Agreements received from NPS. Contracts between the State and local project sponsors are prepared and fully executed project agreements distributed to award recipients.
 - Based on project approval by NPS, project sponsors receive two full construction seasons from project agreement start date. Project termination is targeted for late spring / early summer, when final inspections can take place when landscapes are most favorable to recording finished status.